Appendix I.

[Vide item IV (1), page 630 supra.]

L. A. BILL No. 11 OF 1947.

(As passed by the Assembly.)

A Bill further to amend the Indian Bar Councils Act, 1926, *and the Legal Practitioners Act,* 1879, *in their application to the Province of Madras.*

Central Act XXXVIII of 1926. Central Act XVIII of 1879.

WHEREAS it is expedient further to amend the Indian Bar Councils Act, 1926, and the Legal Practitioners Act, 1879, in their application to the Province of Madras, for the purposes hereinafter appearing; It is hereby enacted as follows :—

Short title and extent.

1. (1) This Act may be called the Bar Councils and Legal Practitioners (Madras Amendment) Act, 1947.

(2) It extends to the whole of the Province of Madras.

Central Act XXXVIII of 1926.

Amendment of section 10, Central Act XXXVIII of 1926.

2. In section 10 of the Indian Bar Councils Act, 1926—

(i) in sub-section (1), after the words "any advocate of the High Court", the words "or an advocate of any other High Court ordinarily practising in any subordinate Court or Courts in the Province of Madras" shall be inserted;

(ii) to the same sub-section, the following Explanations shall be added namely :—

"*Explanation* 1.—The holding of any political opinion, or the expression of it in any form or act not involving physical violence or incitement to or abetment of such violence, is not misconduct within the meaning of this sub-section.

Explanation 2.—Conviction for any political offence, under any general, special or local Law or Ordinance or any rules made thereunder, including conviction under section 124-A of the Indian Penal Code or the Indian Criminal Law Amendment Act, 1908, where the person convicted has not been found guilty of physical violence or of incitement to or abetment of such violence, is no proof of misconduct within the meaning of this sub-section."

Central Act XLV of 1860. Central Act XIV of 1908.

Central Act XVIII of 1879.

Amendment of Central Act XVIII of 1879.

3. In the Legal Practitioners Act, 1879—

(i) in Chapter III, after section 13, the following section shall be inserted, namely :—

"13-A. Notwithstanding anything contained in sections 12 and 13, no pleader or mukhtar holding a certificate as aforesaid shall be liable to be proceeded against or punished under those sections—

(i) for holding any political opinion, or expressing it in any form or act not involving physical violence or incitement to or abetment of such violence, or

Central Act XLV of 1860. Central Act XIV of 1908.

(ii) for having been convicted of any political offence under any general, special or local Law or Ordinance (including section 124-A of the Indian Penal Code or the Indian Criminal Law Amendment Act, 1908) or under any rules made thereunder, where he has not been found guilty of physical violence or of incitement to or abetment of such violence."

21st April 1947]

(ii) in Chapter IV, after section 22, the following section shall be inserted namely :—

" 22-A. Notwithstanding anything contained in sections 21 and 22, no revenue-agent holding a certificate as aforesaid shall be liable to be proceeded against or punished under those sections—

(i) for holding any political opinion, or expressing it in any form or act not involving physical violence or incitement to or abetment of such violence ; or

(ii) for having been convicted of any political offence under any general, special or local Law or Ordinance (including section 124-A of the Indian Penal Code or the Indian Criminal Law Amendment Act, 1908) or under any rules made thereunder, where he has not been found guilty of physical violence or of incitement to or abetment of such violence." Central Act XLV of 1860. Central Act XIV of 1908.

Application of Act to pending disciplinary proceedings.

4. Any disciplinary inquiry or other proceeding pending at the commencement of this Act against any advocate, pleader, mukhtar or revenue-agent, shall be continued under the Indian Bar Councils Act, 1926, as amended by section 2 or, as the case may be, under the Legal Practitioners Act, 1879, as amended by section 3. Central Act XXXVIII of 1926. Central Act XVIII of 1879.

Review of past disciplinary action.

5. If any advocate has been suspended or removed from practice under the Indian Bar Councils Act, 1926, or if any pleader, mukhtar or revenue-agent has been suspended or dismissed under the Legal Practitioners Act, 1879, and such suspension, removal or dismissal is subsisting on the date of the commencement of this Act, then, the advocate, pleader, mukhtar or revenue-agent may, within one year from the said date, apply in writing under this section to the High Court or the Chief Controlling Revenue-authority, as the case may be, and the High Court or Chief Controlling Revenue-authority shall thereupon vacate the order of suspension, removal or dismissal, if such order could not have been passed after the commencement of this Act. Central Act XXXVIII of 1926. Central Act XVIII of 1879.

APPENDIX II.

[Vide item IV (2), page 632 supra.]

L. A. BILL No. 12 OF 1947.

(As passed by the Assembly.)

A Bill to exclude the Province of Madras from the operation of the Criminal Tribes Act, 1924.

WHEREAS it is expedient to exclude the Province of Madras from the operation of the Criminal Tribes Act, 1924 ; It is hereby enacted as follows :— Central Act VI of 1924.

Short title and commencement.

1. (1) This Act may be called the Criminal Tribes (Madras Repeal) Act, 1947.

(2) It shall come into force on such date as the Provincial Government may, by notification in the *Fort St. George Gazette*, appoint.

Central Act VI of 1924 not to apply to the Province of Madras.

2. On and from the commencement of this Act, the Criminal Tribes Act, 1924, as amended by the Criminal Tribes (Madras Amendment) Act, 1943, and the Criminal Tribes (Madras Amendment) Act, 1945, shall, except for the purposes of section 3 of the Madras Restriction of Habitual Offenders Act, 1943, cease to be in force in the Province of Madras. Central Act VI of 1924. Madras Act XXIX of 1943. Madras Act XXV of 1945. Madras Act XXX of 1943.